

Minutes for Sewer Commission Meeting of October 14, 2014 – DPW conference room 520 Chase Rd.

Attendees: Chair-Carl Luck; Members: Dave MacDonald, Troy Daniels, Mike Nault, Butch Bilotta. Business Manager: Barb Lefebvre

Guests: Dan Proctor, Stephen Keating (236 Cross Rd)

Meeting was opened by Carl at 7:02pm

7:00pm 42 Highland St. private extension –Carl introduced Dan Proctor, contractor for the 42 Highland Ave. private sewer extension. Dan reviewed the status and should start next week. Barb noted that counsel had reviewed the schedule and requested that the Commission vote on what can be released at each milestone. Commission was provided the suggested schedule to review and discussed the initial deposit with Dan. Although it was originally recommended by counsel to collect the \$24,000 value assigned to ‘Street Work’ as what the Town might be liable for, the Commission discussed that the item ‘Erosion Control’ for \$2,000 should be added as it would impact the public way. Mike suggested, given the duration expected to complete the job, that we keep it simple and release approximately 1/3 at each milestone. Week 1 and 2 releases would be \$8,000 each, and when complete the balance of \$7,600, leaving a balance for the year’s warranty of \$2,400. Discussion followed on whether this is the policy going forward. Barb mentioned Jack’s preference for a Road Opening permit, such as Fitchburg (\$10,000) and Leominster (\$5,000) do, in place of the bond or deposit. Jack had suggested a \$5,000 bond, with the amount to increase based on the value of the job. Carl asked what was the entire length of the extension. Dan stated it was about 600’. Carl voiced his concern whether \$2400 would be sufficient should the road settle and whether we’d have access to the DPW road opening permit of \$1,500 that Dan has with the DPW. Dan agreed we would. Carl asked for a **motion to approve the milestones per the document from counsel. Mike made the motion to collect \$26,000 from Dan and release the holdback for Step 2 of \$8,000, and Step 3 of \$8,000, Step 4 being \$7,600, leaving \$2,400 on account for the year’s warranty with Jack’s approval. Dave seconded.** Commission discussed coming up with a policy, working with Jack on the road opening. **Vote taken was unanimous.** Dave asked about stamped engineer’s plans. Barb provided the plans Dan had brought, along with Henry Albro’s email verifying the 1 ½ inch line which the Commission reviewed. Carl noted that the Commission needed to vote to accept the project. Troy asked Dan if the homeowner was aware that he may have to pay to lay the pipe again. Dan said he was. Barb provided Dan a deposit slip to set up the tri-party account, and a copy of the Conveyance that the homeowner will need to sign, in order to dedicate the sewer line to the Town. Troy made the **motion to approve the sewer extension, according to the plans received, Butch seconded. No further discussion. Vote taken was unanimous.** Dave asked Dan to let them know when the E-one is installed. He would like to see the installation. Dan noted this is a buried pump.

Pratt St/Lakeview Ave SRF project - Mr. Keating from 236 Cross Rd. was present. He had sent each commissioner a letter after the 9/30 meeting. Carl explained the CWMP about the determination of areas of need, and explained the map from Wright Pierce (Tier 1 Analysis-Figure 4-1, Phase I CWMP) and specifically Area 9. He also explained the only prior situation on Electric Ave, where a portion of the parcel was not in the SSA (Sewer Service Area), and the applicant had to show that the land could not support conventional systems and then had to go to Town Meeting to have the SSA expanded to include the entire parcel. Carl added that at this point unless it is not possible to put in septic, the Commission would not support changing the SSA. Mr. Keating explained the history of the property, with marshes forming off and on throughout property, and that it didn’t perc years ago. It was determined that if he did tests and finds he cannot put in an onsite system, then it would meet the requirement that it cannot support conventional system. Carl added that the preference is to treat water locally since it is better for the town and the environment. Mr. Keating needs to gain Commission approval but would still need to go to Town Meeting. First he must prove it is not possible to put in septic by having tests done, get a letter from the Board of Health backing it up, and then the Sewer Commission would support your request at Town Meeting to change the SSA. Carl added we had another parcel that was right on the border of the SSA, but he had a large amount of land, and couldn’t show that the parcel couldn’t support a conventional system. Carl asked that Mr. Keating advise when the perc tests are done so he can come witness, and that we’d need a document from the Board of Health that based on the data, the property cannot support a private system. Mr. Keating said he’d get in touch with Dan Proctor to start the process, and thanked the Commission for their consideration.

Pratt St/Lakeview Ave SRF project – The SRF application will be submitted to the state tomorrow, **October 15**. Board of Selectmen are signing the resolution tonight, Clerk will certify Kerry's authority to sign, and it will be submitted. Only other item outstanding is the Notice of Intent (NOI) to be signed by Conservation Commission(ConsCom). We are hoping to get it done on the first meeting in November **214 cross rd** – Commission discussed adding this lot into the project, noting their concern with lots on other side of Cross Rd., such as parcel 59, and costs related to the length of pipe required for the additional 560'. Since Highland Ave.'s contract was \$36,000, we can assume that is approximately the additional cost to include 214 Cross. It was noted that we may have the addition of 2 more betterments (lots 21 & 22). The costs are up with the discovery of ledge, but project cost down due to being an all low-pressure system. Carl asked to put it to a vote whether to pick up 214 Cross in the SRF project. Dave **made the motion to accept 214 Cross Road as part of the SRF project. Troy seconded. Vote taken was unanimous.** Nothing new on **Easements**. Wright Pierce will address once the SRF application is filed.

I/I Project status – 21 John St – Commission discussed whether to continue to fine and Jack's opinion to not fine. We are fining the property, not the individual, and it gives the lien holder notice. Even though we cannot lien fines, it does appear on Municipal Lien certificate as unpaid monies owed to the Town. Commission discussed whether they could forgive the fees when a house is abandoned with no water or electricity and it was determined that we'd need a policy on forgiving fines to keep consistent. After more discussion, it was proposed that we could have a policy to continue to fine, but if not rectified after 6 months, Commission would have line capped and property owner would be responsible for any and all costs. Policy must have flexibility for different situations. Troy will check our policies and Mass. General Law, see if it is written anywhere that we have the right to disconnect and if there are limitations, and will have a policy for the Commission for the next meeting. Then we'll send a letter to the homeowner and lien holder. We will also need to advise the Board of Health, as Troy believes they will need to condemn the house if there is no active way to discharge sewage. **37 Graham St.** work is to commence. Per Jack, work will be done by the DPW.

Whalom Luxury Apts – Carl noted there is no progress since last meeting, except that Dan Hill is researching the fines. Ilana from Koppelman & Paige is doing same thing. The next ZBA meeting is 10/22.

Sewer Commission Projects update-I/I reduction project - Commission discussed getting the next phase going, inviting Weston & Sampson to refresh their proposal for the next step and evaluating the last one. Storm drains need to be part of the discussion for illegal connections, along with the white water at the Graham St. flow meter. Commission still needs to see comparison of actual flows to billing readings. Jack to complete work on depressed manhole when 37 Graham work done. Commission discussed timing of getting Weston & Sampson in, realizing conflicts with November dates. Sewer Commission will have only one meeting in November, 11/18. Barb will send Weston & Sampson a letter, asking to take what was successful from the spring I/I project, and apply it to the next focus area with the intent to have them present to the Commission at a meeting in December or January, for work to commence in the spring and be completed before the end of the fiscal year. **Business Systems and Process Improvement** –Carl is going to review billing process with Barb this week.

SWSS – Barb noted there is no update on the generator estimate. Jack is waiting on Debbie for response. Carl noted that as long as we don't pay her bills, she will eventually have to have this discussion.

Barb noted that our new **FinCom liaison** is Terri Burchfield. Dave asked that Terri be added to the distribution list for our meeting packages.

FY16 Capital Plan – Carl noted that the Commission needs to do a Capital Plan, however not on the town's timeline since the money comes through the Enterprise, not the Town. Carl will talk to Terri.

Minutes – Carl confirmed we had the members present and asked that if everyone had reviewed the minutes, he would request a **motion to approve the minutes of 9/16/14. Troy made the motion, Dave seconded. Vote taken was unanimous.** Mike noted that he was not present at the 9/30 meeting. The minutes will be revised to reflect his

absence. Carl asked for a **motion to approve the minutes for the 9/30 meeting as revised. Troy made the motion to approve the minutes of 9/30 with the amendment removing Mike Nault as attending. Dave seconded. Vote taken was unanimous.** Commission discussed the level of detail in the minutes, and the current level was acceptable.

Business Manager report – Barb noted that she needs to start the **Q2 billing** and do nothing else to get them out by 11/1. She had **privilege fee documents** for Commissioner's signatures, including **Sewer Orders** for the purpose of placing privilege fee on FY15 tax bills: 1) 2 privilege fees for **Lancaster Ave**, 2) 6 privilege fees for **Whites Woods-**, 3) \$75 recording fee for **70 Lesure Ave.**; one **Sewer Assessment Statement** to record and lien the units at **Whites Woods**. Commissioners signed the documents, and Carl took the Assessment Statement for notarization at the Clerk's office. Barb had the quarterly invoice for \$2490 for **Flow Assessment** which was initialed by the Chair. **Next meeting is October 28th** at Town Hall, and for November the meeting will be November 18th at the DPW.

As there were no Commissioners Comments, Carl asked for a **motion to adjourn. Troy made the motion, Mike seconded. Vote taken was unanimous. Meeting was adjourned at 9:10pm**

Respectfully submitted,

Barbara Lefebvre